

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

FANON ZUBER	:	CIVIL ACTION
	:	
v.	:	No. 14-128
	:	
MICHAEL WENEROWICZ, et al.	:	

ORDER

AND NOW, this 20th day of April, 2015, upon careful and independent consideration of Petitioner Fanon Zuber's pro se Petition Under 28 U.S.C. § 2254 for a Writ of Habeas Corpus, the Government's response thereto, and the parties' further submissions, and after review of the Report and Recommendation of United States Magistrate Judge Richard A. Lloret, to which no objections have been filed,¹ it is ORDERED:

1. The Report and Recommendation (Document 15) is APPROVED and ADOPTED.
2. Zuber's petition for writ of habeas corpus is STAYED and held in ABEYANCE until the conclusion of his state court proceedings.
3. Zuber shall return to federal court within 30 days of the conclusion of his state PCRA proceedings. At that time, Zuber shall move this Court to lift the stay on his pending habeas corpus petition. Should Zuber fail to petition this Court as directed, the stay order will be vacated, and his habeas corpus petition will be dismissed without prejudice.
4. There is no probable cause to issue a certificate of appealability.

¹ The Report and Recommendation was sent to all parties of record on March 27, 2015, together with a Notice from the Clerk of Court advising the parties of their obligation to file any objections within 14 days after service of the Notice. *See* Local R. Civ. P. 72.1 IV(b) ("Any party may object to a magistrate judge's proposed findings, recommendations or report under 28 U.S.C. § 636(b)(1)(B) . . . within fourteen (14) days after being served with a copy thereof."). As of today's date, no objections have been filed.

5. This matter shall be placed in SUSPENSE pending the completion of Zuber's state PCRA proceedings.

BY THE COURT:

/s/ Juan R. Sánchez
Juan R. Sánchez, J.